

Remarks

Applicant has reviewed the Office Action dated as mailed October 27, 2005 and the documents cited therewith and the present amendment has been prepared in response thereto. Independent claims 1, 26 and 33, and independent claims 5 and 27 have been amended. Dependent claims 6, 14, 21 and 27 have been amended to properly depend from the amended independent claims. Claims 30, 31 and 32 have been cancelled. It is submitted that independent claims 1, 26 and 33 as amended define over the art relied on by the Examiner and are allowable.

The Examiner rejected independent claim 26 as being anticipated by Sorensen et al. under 35 U.S.C. 102(b). Sornesen discloses a shear with a removable blade 44. Referring to Fig. 3A of Sorensen, blade 44 has a longitudinal axis A-A and a transverse axis B-B. The body of the blade includes first cutting portion 52 and second cutting portion 54 spaced from each other by a central portion 56. The first cutting portion has a first cutting edge 58 and a first rear portion 60. The second cutting portion 54 has a second cutting edge 62 and a second rear portion 64. The first cutting edge 62 and the second cutting edge 64 extend longitudinally in opposite directions from the central portion in such a manner that the first cutting edge 58 and the second cutting edge 62 are not opposite to one another across longitudinal axis A-A.

As is evident from this description and Fig. 3A the first cutting edge 62 lays opposite to the first rear portion 60 across longitudinal axis A-A and the second cutting edge 64 lays opposite to the second rear portion 64 across longitudinal axis A-A. Because of this configuration the blade of Sorensen has a large length (the distance along longitudinal axis A-A) to width (the distance along transverse axis B-B) ratio. This blade also has a long perimeter. These factors make the blade more difficult to manufacture, create material waste, require additional fasteners to fix the blade in place and require curvature to generate interference as explained in the "Background of the Invention" section of the instant application. The blade of the invention is an improvement over the Sorensen blade and as claimed defines subject matter that defines over the Sorensen reference.

Claim 26 as amended requires a first removable blade comprising a tip and a base spaced from said tip. A first and a second cutting edge extend from substantially the tip and extend toward the base. A longitudinal axis of the first blade extends from the tip to the base where the first cutting edge is counterposed to the second cutting edge directly across the longitudinal axis of said blade. Claim 26 further requires retaining the first blade in the cooperating member using the pivot and rotating the first removable blade 180 degrees around the longitudinal axis.

In Sorensen there is no teaching or suggestion for these limitations. In Sorensen the blade is arranged with the cutting edges extending away from one another such that they are not opposed to one another directly across the longitudinal axis. As a result the blade in Sorensen cannot be rotated along its longitudinal axis to face either the first or second cutting edge towards the opposed cooperating member. The claimed invention is an improvement over the Sorensen device and the difference between the claimed invention and the device disclosed in Sorensen is discussed in the instant application and that difference is specifically claimed. It is submitted that Sorensen does not anticipate claim 26 and that claim 26 is allowable as written.

The Examiner rejected claims 1 and 33 under 35 U.S.C. 103 as being obvious over Sorensen in view of McCaw. It is the Examiner's position with respect to claim 1 and 33 that it would have been obvious to make the cutting edges in Sorensen counterposed across a longitudinal axis of the blade as taught by McCaw.

The invention set forth in claim 1 as amended comprises a first blade comprising a tip and a base spaced from said tip. A first and a second cutting edge extend from substantially the tip and extend toward the base and a longitudinal axis of the first blade extends from said tip to the base. The first cutting edge is counterposed to the second cutting edge across the longitudinal axis of the blade. The first blade is removably mounted at least partially using the pivot means to the jaw section of the first cooperating

member such that the blade can be rotated about the longitudinal axis to face either the first cutting edge or the second cutting edge toward the second cooperating member.

McCaw discloses scissors that have reversible blades. In McCaw the blade sits in a slot and is held in place by spring clip 18. McCaw does not disclose the use of the pivot to retain the blade within the handle. Moreover in McCaw the reduced head 16 is not closely received in the slot (as shown in Fig. 5). It is submitted that the blade mounting method disclosed in McCaw is not suitable for use as a snip. Thus there is no suggestion or teaching for combining the blade of McCaw in the tool of Sorensen.

Claim 5 requires that the blade include a tang that is closely received in a pocket in the cooperating member. Neither Sorensen nor McCaw disclose such a construction.

McCaw teaches away from such a construction as the member 16 is a reduced head that is not closely received in the recess 11 (see Fig. 5). Sorensen does not disclose a tang because Sorensen uses the entire length of the much longer blade to retain the bade in the cooperating members 12, 14. Thus it is submitted that claim 5 defines over the art of record and is allowable. The Examiner points to central section 54 as the tang in Sorensen. A tang as used in the instant application is a projection that extends from the base of the blade for retaining the blade. Clearly central portion 54 is not a tang extending from the base of the blade.

Moreover it is submitted that dependent claim 9 is allowable over Sorensen and McCaw as combined by the Examiner. Claim 9 requires two apertures for receiving the pivot depending on which cutting edge is exposed. The Examiner points to apertures 74 in support of this rejection. However the claims require that the two apertures align with the pivot means. In Sorensen the apertures 74 are for receiving separate fasteners and do not receive the pivot. Thus it is submitted that claim 9 is allowable.

Claim 33 sets forth a kit having a first and second pair of blades where the blades are constructed similarly to the blades as set forth with respect to claim 1 where the first pair of blades and the second pair of blades have different constructions. In neither Sorensen

nor McCaw is disclosed a system where removable and reversible blades are provided where two different pairs of blades have different constructions. It is submitted that claim 33 is allowable.

The remaining claims, either directly or indirectly, all depend from one of independent claims 1, 26 or 33 and are allowable for the same reasons. The Applicant respectfully submits that all of the claims in the present application are in condition for allowance. Reconsideration and withdrawal of the rejections and allowance of the claims at the earliest possible date are respectfully solicited.

If the Examiner has any questions about the present Amendment a telephone interview is requested.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-4365.

Respectfully submitted,

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